IMMIGRATION AND SETTLEMENT SERVICES ADVISORY COMMITTEE
ALBERTA

RECOMMENDATIONS

PERTAINING TO IMMIGRATION AND SETTLEMENT MATTERS

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CANADA AND THE PROVINCE OF ALBERTA

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I. INTRODUCTION

The Alberta Immigration and Settlement Services Advisory Committee was established on November 16, 1987 by the Alberta Government by Order-in-Council. Its mandate is to advise the Minister of Career Development and Employment on matters relating to immigration and settlement and perform tasks as directed by the Minister.

At its June 15, 1990 meeting, the Advisory Committee formed a Sub-Committee to review the Canada-Alberta Immigration Agreement, and to report its findings and recommendations to the Minister.

II. BACKGROUND

Under Section 95 of the Constitution Act of 1867, the Province of Alberta has concurrent power with the Federal Government respecting immigration legislation. Therefore, it has always been Alberta's constitutional right to actively participate on equal terms with the Federal Government regarding immigration and related matters.

An agreement pertaining to immigration matters was entered into by the Federal Government and the Alberta Government in November of 1985. The Canada-Alberta Immigration Agreement of 1985 ("CAIA" hereafter) delineates the roles and responsibilities of the respective governments on immigration and settlement matters pertaining to Alberta. It contains provisions to ensure Canada-Alberta co-operation on immigration and settlement issues. It is also the intent of this Agreement to ensure effective planning, development of policy and management of programs relating to immigration and settlement in Alberta. This same agreement further sets out the framework for the implementation of this agreement through the establishment of a "Joint Committee on Immigration", and an "Implementation Committee". The composition and chairmanship of these committees are also specified therein. However, the establishment of both committees remain pending.

In January of 1986, the Federal Government introduced the Investor category as part of its Business Immigration Program. The CAIA of 1985 was not amended to include the Investor category. With the introduction of the Investor category, the Federal Government imposed guidelines and restrictions on the format of the Offering Memorandum as well as the type of business qualified for the Investor category.

In 1988, the Federal Government established the Tier System. Under this system, a potential business immigrant is required to bring more assets if he wishes to immigrate to a Tier II Province than is required if he chooses to enter a Tier I Province. Alberta was classified as a Tier II Province together with British Columbia, Ontario and Quebec. Alberta's Tier II designation made it difficult for Alberta to benefit fully under this initiative. As a result, Alberta suffered a net reduction of entrepreneurs and investor immigrants in 1989 and 1990.

After much negotiation, the Federal Government has now changed the Immigration Regulations to designate Alberta as a Tier I Province.

In October of 1988, and in response to the heated real estate markets in British Columbia and Ontario, the Federal Government imposed certain restrictions on investment in real estate. Alberta enjoys its position in many industries. These include agriculture, science, technology, research, oil and gas, forestry and tourism. Alberta can compete with Ontario and British Columbia on a level playing field.

However, although the Federal Government agreed that specific provincial economic or social objectives on residential real estate will be recognized, requests by Alberta with respect to a number of urban renewal projects supported by the respective Municipal Government have been stalled for over a year. Alberta's economic strengths were not given the same opportunity to prosper.

In recent years, Alberta has received a larger portion of Convention Refugees than both British Columbia and Quebec. Other Provincial governments, except Ontario, are not taking their proportionate share of refugees based on their population base and available resources. The high proportionate share of refugees is a contributing factor to the high cost for the Alberta Government to provide settlement services for immigrants that land in Alberta. The Federal Government has yet to recognize, and adequately compensate, Alberta's costs in providing these services including the ESL program.

On October 26, 1990, the Honourable Barbara McDougall, Federal Minister of Employment and Immigration Canada, announced an increase in the number of immigrants from 200,000 in 1990 to 220,000 in 1991, and to 250,000 for each of the years from 1992 to 1995 inclusively. The Minister also indicated that adjustments will be made in the Independent category to provide for a larger proportion of skilled workers during the latter years of the 5-year plan.

The Federal Government is currently faced with huge back logs in processing applications from potential immigrants at various overseas visa offices. This situation is expected to further deteriorate as a result of the proposed increased volume of immigration noted above.

OBSERVATIONS:

1. To our knowledge the "Joint Committee on Immigration", as well as the "Implementation Committee" have not been established. This may have hampered effective implementation of the full intent of the CAIA.

2. The Federal Government has not given due consideration to Alberta's input on designated occupations, excluded occupations or open occupations lists.

3. Alberta does not appear to have its fair share of business class immigrants. Furthermore, the delay in processing business immigrant visas jeopardizes the feasibility of the business plan.

4. While Alberta has received more than its fair share of refugees, the level has been disproportionately low for business class and entrepreneur immigrants.

5. Historically, it was believed that only the large municipalities in Alberta have the capacity and social economic climate conducive to the success of business ventures. It has been observed during our visitation program to a number of smaller centres in various regions of Alberta, that there are welcome mats laid out in these smaller Alberta centres to promote business immigration. They have considerable economic base, infrastructure, and support services necessary for successful businesses.

6. While Quebec enjoyes the benefits of large amounts of Federal funding and latitude in immigration, Alberta has yet to be given similar arrangements.

7. Due to Alberta's vast resources and continued steady economic growth, Alberta needs to bring in new immigrants within specific skill categories to meet this demand.

8. Alberta has long maintained that it is actually 70-80% of its immigrants who require ESL, not the Federal figure of around 50%. Alberta is deprived of receiving sufficient Federal funding to provide adequate ESL programs.

9. At a time of increased immigration levels set by the Federal Government for the next five years and in view of the greater complexity in the selection criteria, the Province of Alberta has a very important role to play in gaining a better control over the immigrants destined for Alberta. More control will ensure that Alberta has a fair share of qualified immigrants to maintain

a pool of skilled labour and a larger consumer base in the Province. For business immigrants who intend to invest and establish businesses in Alberta, steps must be taken to promote Alberta as a place for setting up businesses as recommended by various departments of the Alberta Government.

RECOMMENDATIONS:

1. Alberta should receive a fair and proportionate share of immigrants from all categories.

2. The Alberta Government should assist the Federal Government in the implementation of Canada's immigration policies and programs with respect to applications from prospective immigrants who have indicated their desire to settle in Alberta. The Alberta Government will arrange for Alberta's overseas offices to interview and evaluate these applications based on an evaluation matrix developed pursuant to Canada's immigration policies, and in concert with Alberta's prevalent needs and its socio-economic climate. This will alleviate the workload of Canadian overseas visa offices, and will allow the Alberta Government to respond more effectively to the needs of the Alberta labour market and facilitate the application of qualified applicants destined to Alberta.

   - Alberta's overseas offices, as well as Canada's overseas visa offices, will maintain up-to-date information on business opportunities, skilled labour requirements in Alberta and available settlement services provided by the Alberta Government (health care, ESL, etc.). It is suggested that to attract appropriate businesses to Alberta, the Alberta Government should publish, for circulation, a periodically updated list of businesses and industries which are favoured by the Province based on the existing economic climate and resources available.

- The Alberta Government will accept immigration applications on behalf of the Federal Government for the purpose of interviewing and for processing the applicantions based on selection criteria established by the Alberta Government which is tailored to its socio-economic and labour requirements. Participation by the Alberta Government in the selection process will expedite the implementation of the "Designated Occupation List" and the "Open Occupation List" established based on provincial labour shortages.

- The applicants are welcome to come to Alberta on visitor's visas for the interview and evaluation process. This will give them a first-hand opportunity to get to know Alberta.

- Upon acceptance by the Alberta Government, the Federal Government will be asked to proceed with the security check, medical examination and issue the necessary visas to those who pass these examinations. The visas can be given to the successful applicants through the Alberta Government offices overseas. The Alberta Government offices can provide specific information on the business environment, banking, housing, education and health care to these immigrants prior to their landing and eventual settlement in Alberta.

- Where a demonstrated need arises in other regions of the world, Alberta should expand its overseas operation accordingly. In addition to the existing offices in the far east and Europe, offices should be established in other parts of the world to promote trade and immigration to the Province of Alberta.

3. Alberta should exert stronger efforts to include in the upcoming Canada-Alberta Agreement a Joint Committee on Immigration and an Implementation Committee. Furthermore, the mandate of these committees must ensure that Alberta's interests are maintained.

4. That the recommendation contained in the "Report on Business and Settlement Opportunities for New Canadians in Smaller Centers in Alberta" be implemented.

5. Alberta Government shall seek reasonable compensation from the Federal Government for services provided in interviewing, evaluating, and settling of immigrants into Alberta.

6. The Alberta Government shall exercise all efforts in its power to expedite the processing and approval for new immigrants to come to Alberta.

7. Alberta should seek to obtain an increase in funding for ESL programs to reflect the actual percentage of immigrants requiring that service.